

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

NOTICE OF MOTION NO.4392 OF 2007
IN
SUIT (L) NO.3156 OF 2007

Rosario Christopher Joseph

..Plaintiff.

Vs.

LIC Housing Finance Ltd.

..Defendant.

....

Mr. P.D. Prasad Rao for the Plaintiff.

Mr. Naresh S. Jadhav for the Defendant.

....

CORAM: DR. D.Y. CHANDRACHUD, J.

5th December, 2007.

P.C. :

Counsel appearing for the Defendant has stated that the Defendant had taken action under Section 13(2) of the Securitization Act in July, 2006; that possession was taken over on 6th August, 2007 and that the property was sold on 19th September, 2007 after publication. Counsel appearing for the Plaintiff disputes that possession has been taken from the Plaintiff particularly since there was no reply to the Plaintiff' setter dated 27th August, 2007. Counsel appearing for the Defendant has stated that full inspection

shall be furnished to the advocate for the Plaintiff of all the underlying documents relating to the action taken under the Securitization Act within a period of one week from today. In view of the aforesaid statement which has been made on behalf of the Defendant, counsel appearing for the Plaintiff does not pray for any further reliefs in this Motion since it has been rendered infructuous. However, it is needless to add that the Plaintiff will be at liberty to initiate such proceedings as are open in accordance with law after carrying out an amendment to the Plaint. The Motion is accordingly disposed of as not pressed.